

FORTY-SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, February 25, 2005

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present except Senators Deccio, Fraser and Stevens.

The Sergeant at Arms Color Guard consisting of Pages McKenzie McAuliffe and Joshua Pflug, presented the Colors. Pastor Irene Martin of the St. James Episcopal Church offered the prayer.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 23, 2005

SB 5065 Prime Sponsor, Thibaudeau: Requiring notice of potential injuries resulting from health care. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5065 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Brandland, Deccio, Franklin, Kastama, Kline, Parlette and Poulsen

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5137 Prime Sponsor, Haugen: Adjusting procedures of vessel dealer trust accounts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5150 Prime Sponsor, Haugen: Changing provisions concerning marine pilot licensing qualifications and procedures. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5150 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5207 Prime Sponsor, Doumit: Limiting liability of ports providing pilots. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5207 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice

Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5264 Prime Sponsor, Haugen: Allowing reciprocal waiver of driver's license exams. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5265 Prime Sponsor, Spanel: Making technical corrections to chapter 46.87 RCW. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5285 Prime Sponsor, Poulsen: Updating the water quality joint development act to provide local government flexibility for improving drinking water and treatment services. Reported by Committee on Water, Energy & Environment

MAJORITY recommendation: That Substitute Senate Bill No. 5285 be substituted therefor, and the substitute bill do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Hewitt, Honeyford, Morton, Mulliken, Pridemore and Regala

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5318 Prime Sponsor, Thibaudeau: Improving patient safety practices. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5318 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Franklin, Kastama, Kline and Poulsen

Passed to Committee on Rules for second reading.

February 24, 2005

SB 5362 Prime Sponsor, Fairley: Regulating insurance, generally. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5442 Prime Sponsor, Poulsen: Establishing a joint legislative and executive task force on long-term care financing and chronic care management. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5442 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Benson, Brandland, Deccio, Franklin, Johnson, Kastama, Kline, Parlette and Poulsen

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5451 Prime Sponsor, Keiser: Modifying the excise taxation of cosmetic medical services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5451 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Franklin, Kastama, Kline and Poulsen

MINORITY recommendation: Without recommendation. Signed by Senators Benson, Brandland, Deccio and Parlette

Passed to Committee on Ways & Means.

February 23, 2005

SB 5456 Prime Sponsor, Prentice: Making it a crime to excavate without notification near a transmission pipeline. Reported by Committee on Water, Energy & Environment

MAJORITY recommendation: That Substitute Senate Bill No. 5456 be substituted therefor, and the substitute bill do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Hewitt, Honeyford, Morton, Mulliken, Pridemore and Regala

Passed to Committee on Rules for second reading.

February 24, 2005

SB 5479 Prime Sponsor, Berkey: Revising time periods in landlord/tenant actions. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5479 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5513 Prime Sponsor, Haugen: Restructuring certain transportation agencies. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5513 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Eide, Esser, Kastama, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 22, 2005

SB 5584 Prime Sponsor, Jacobsen: Authorizing a customer facility charge on rental car customers to finance consolidated rental car facilities. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5584 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Eide, Esser, Kastama, Oke, Swecker and Weinstein

MINORITY recommendation: Without recommendation. Signed by Senators Benson and Mulliken

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5598 Prime Sponsor, Franklin: Modifying the composition of the nursing care quality assurance commission. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5598 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Benson, Brandland, Deccio, Franklin, Johnson, Kastama, Kline, Parlette and Poulsen

Passed to Committee on Rules for second reading.

February 24, 2005

SB 5692 Prime Sponsor, Berkey: Regulating tax refund anticipation loans. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5692 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 24, 2005

SB 5743 Prime Sponsor, Kastama: Enhancing voter registration recordkeeping. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5743 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, Mulliken, Pridemore and Roach

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5749 Prime Sponsor, McAuliffe: Requiring a review of enhanced 911 services. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5749 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5767 Prime Sponsor, McAuliffe: Developing plans to address the housing needs of homeless persons. Reported by

Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5767 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Franklin, Keiser, Prentice and Spanel

MINORITY recommendation: Do not pass. Signed by Senators Benson, Benton, Brandland, Delvin and Schmidt

Passed to Committee on Ways & Means.

February 23, 2005

SB 5808 Prime Sponsor, Poulsen: Increasing the threshold for short board appeals before the shorelines and pollution control hearings boards. Reported by Committee on Water, Energy & Environment

MAJORITY recommendation: Do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Hewitt, Honeyford, Morton, Mulliken, Pridemore and Regala

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5931 Prime Sponsor, Fraser: Requiring removal of hazardous materials in accordance with state and federal laws before conducting planned structure fires for fire fighter training. Reported by Committee on Water, Energy & Environment

MAJORITY recommendation: That Substitute Senate Bill No. 5931 be substituted therefor, and the substitute bill do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Pridemore and Regala

MINORITY recommendation: Do not pass. Signed by Senators Hewitt, Honeyford, Morton and Mulliken

Passed to Committee on Rules for second reading.

February 23, 2005

SB 5957 Prime Sponsor, Fairley: Changing the terms for the escrow accounts required of self-funded multiple employer welfare arrangements. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice and Schmidt

Passed to Committee on Rules for second reading.

February 24, 2005

SB 5960 Prime Sponsor, Rasmussen: Modifying the nutrient management plan sales and use tax exemption. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5960 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen, Morton and Schoesler

Passed to Committee on Ways & Means.

February 23, 2005

SJM 8018 Prime Sponsor, Fraser: Requesting that the proposal to transition the Bonneville Power Administration from cost-based rates to market-based rates be rejected. Reported by Committee on Water, Energy & Environment

MAJORITY recommendation: That Substitute Senate Bill No. 8018 be substituted therefor, and the substitute bill do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Hewitt, Honeyford, Morton, Mulliken, Pridemore and Regala

Passed to Committee on Rules for second reading.

HOUSE BILL

February 24, 2005

SHB 1154 Prime Sponsor, Committee on Financial Institutions & Insurance: Requiring that insurance coverage for mental health services be at parity with medical and surgical services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Brandland, Deccio, Franklin, Kastama, Kline and Poulsen

MINORITY recommendation: Without recommendation. Signed by Senators Johnson and Parlette

Passed to Committee on Rules for second reading.

GUBERNATORIAL APPOINTMENTS

February 24, 2005

SGA 9008 ISABEL BEDOLLA, appointed July 1, 2003, for the term ending June 30, 2007, as Member of the Housing Finance Commission. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 23, 2005

SGA 9019 DEBBIE BROOKMAN, reappointed August 15, 2003, for the term ending December 31, 2005, as Member of the Investment Board. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benton, Brandland, Delvin, Franklin, Keiser, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 24, 2005

SGA 9068 CLAIRE GRACE, appointed October 31, 2003, for the term ending June 30, 2007, as Member of the Housing Finance Commission. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 24, 2005

SGA 9096 DENNIS KLOIDA, appointed April 2, 2003, for the term ending June 30, 2005, as Member of the Housing Finance

Commission. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 23, 2005

SGA 9124 GEORGE MASTEN, reappointed January 1, 2005, for the term ending December 31, 2007, as Member of the Investment Board. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benton, Brandland, Franklin, Keiser and Spanel

Passed to Committee on Rules for second reading.

February 23, 2005

SGA 9128 PATRICK MCELLIGOTT, reappointed February 10, 2005, for the term ending December 31, 2006, as Member of the Investment Board. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Brandland, Delvin, Franklin, Keiser, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 24, 2005

SGA 9130 RICHARD MCIVER, appointed May 29, 2003, for the term ending June 30, 2005, as Member of the Housing Finance Commission. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6051 by Senators Delvin and Schoesler

AN ACT Relating to tobacco products taxes; and adding a new section to chapter 82.26 RCW.

Referred to Committee on Ways & Means.

SB 6052 by Senators Kline, Finkbeiner, Fairley, Zarelli, Kohl-Welles and Parlette

AN ACT Relating to expanding the responsibilities of the caseload forecast council; and amending RCW 43.88C.010.

Referred to Committee on Ways & Means.

SB 6053 by Senator Haugen

AN ACT Relating to property that has been specifically devised; and adding a new section to chapter 11.12 RCW.

Referred to Committee on Judiciary.

SB 6054 by Senators Kohl-Welles, Rasmussen and Kline

AN ACT Relating to worker's compensation parity for agency home care workers; and adding a new section to chapter 74.39A RCW.

Referred to Committee on Labor, Commerce, Research & Development.

SB 6055 by Senator Kline

AN ACT Relating to a commission on psychoactive substance control; and creating new sections.

Referred to Committee on Judiciary.

SB 6056 by Senator Rasmussen

AN ACT Relating to the certification of animal massage therapists; and adding a new chapter to Title 18 RCW.

Referred to Committee on Agriculture & Rural Economic Development.

SJM 8021 by Senators Oke, Eide, Swecker, Kastama, Schmidt, Roach, Benson, Brandland, Finkbeiner, Schoesler, Parlette, Esser, Delvin, Sheldon, Kohl-Welles, Kline, Rockefeller, Rasmussen, Thibaudeau and Shin

Honoring War Dogs.

Referred to Committee on Government Operations & Elections.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 10:09 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:18 a.m. by President Owen.

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5134, by Senators Jacobsen, Oke and Rasmussen

Making the disabled hunters and fishers advisory committee a permanent entity.

The measure was read the second time.
MOTION

On motion of Senator Jacobsen, the rules were suspended, Senate Bill No. 5134 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Jacobsen and Oke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5134.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5134 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Absent: Senators Deccio, Fraser and Stevens - 3

SENATE BILL NO. 5134, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Senator Hewitt, Senators Deccio and Stevens were excused.

On motion of Senator Regala, Senator Fraser was excused.

SECOND READING

SENATE BILL NO. 5290, by Senators Delvin, Rasmussen, Schoesler, Shin, Morton, Jacobsen and Mulliken

Including goats in theft of livestock in the first degree.

MOTIONS

On motion of Senator Rasmussen, Substitute Senate Bill No. 5290 was substituted for Senate Bill No. 5290 and the substitute bill was placed on the second reading and read the second time.

Senator Delvin spoke in favor of adoption of the substitute.

On motion of Senator Rasmussen, the rules were suspended, Substitute Senate Bill No. 5290 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5290.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5290 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen,

Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Deccio, Fraser and Stevens - 3

SUBSTITUTE SENATE BILL NO. 5290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5035, by Senators Thibaudeau, Brandland and Franklin

Eliminating the state forensic pathology fellowship program. Revised for 1st Substitute: Revising the forensic pathology program.

MOTIONS

On motion of Senator Thibaudeau, Substitute Senate Bill No. 5035 was substituted for Senate Bill No. 5035 and the substitute bill was placed on the second reading and read the second time.

Senator Thibaudeau spoke in favor of adoption of the substitute.

On motion of Senator Thibaudeau, the rules were suspended, Substitute Senate Bill No. 5035 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5035.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5035 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Deccio, Fraser and Stevens - 3

SUBSTITUTE SENATE BILL NO. 5035, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5070, by Senators Spanel, Stevens and Haugen

Creating an additional superior court position.

The measure was read the second time.

MOTION

On motion of Senator Spanel, the rules were suspended, Senate Bill No. 5070 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Spanel and Johnson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5070.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5070 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Deccio, Fraser and Stevens - 3

SENATE BILL NO. 5070, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5329, by Senators Pflug, Shin, Esser, Schoesler, Roach, Rasmussen, Rockefeller, Berkey and Mulliken

Establishing an industry cluster-based approach to economic development.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 5329 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pflug and Shin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5329.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5329 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Deccio, Fraser and Stevens - 3

SENATE BILL NO. 5329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5086, by Senators Shin, Schoesler and Rasmussen

Modifying rural Washington loan fund provisions.

The measure was read the second time.

MOTION

On motion of Senator Shin, the rules were suspended, Senate Bill No. 5086 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shin and Pflug spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5086.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5086 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Deccio, Fraser and Stevens - 3

SENATE BILL NO. 5086, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE JOINT MEMORIAL NO. 8018, by Senators Fraser, Parlette, Poulsen, Hewitt, Berkey, Zarelli, Prentice, Doumit, Rockefeller, Fairley, Rasmussen, Kohl-Welles, Schoesler, Brandland, Schmidt, Shin, Pridemore, Mulliken, Honeyford, Brown, Kline and Regala

Requesting that the proposal to transition the Bonneville Power Administration from cost-based rates to market-based rates be rejected.

MOTIONS

On motion of Senator Poulsen, Substitute Senate Joint Memorial No. 8018 was substituted for Senate Joint Memorial No. 8018 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Poulsen, the rules were suspended, Substitute Senate Joint Memorial No. 8018 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Poulsen and Morton spoke in favor of passage of the bill.

MOTION

On motion of Senator Hewitt, Senator Benton was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Joint Memorial No. 8018.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 8018 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Benson, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 45

Excused: Senators Benton, Deccio, Fraser and Stevens - 4

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8018, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

MOTIONS

On motion of Senator Weinstein, Senator Regala was excused.
 On motion of Senator Esser, Senator McCaslin was excused.
 On motion of Senator Mulliken, Senators Hewitt and Parlette were excused.

SECOND READING

SENATE BILL NO. 5356, by Senator Brown

Modifying the alignment of state route number 290.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 5356 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Swecker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5356.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5356 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton, Mulliken, Oke, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 42

Excused: Senators Deccio, Fraser, Hewitt, McCaslin, Parlette, Regala and Stevens - 7

SENATE BILL NO. 5356, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5723, by Senators Delvin, Rasmussen, Schoesler, Mulliken and Rockefeller

Extending an asparagus exception to the standards for fruits and vegetables.

The measure was read the second time.

MOTION

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 5723 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Delvin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5723.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5723 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton,

Mulliken, Oke, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 42

Excused: Senators Deccio, Fraser, Hewitt, McCaslin, Parlette, Regala and Stevens - 7

SENATE BILL NO. 5723, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5390, by Senators Keiser, Parlette, Franklin, Kastama, Johnson, Shin, Kohl-Welles and Kline

Concerning improving the quality of care in state-purchased health care programs.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5390 was substituted for Senate Bill No. 5390 and the substitute bill was placed on the second reading and read the second time.

Senators Keiser and Johnson spoke in favor of adoption of the substitute.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5390 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5390.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5390 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton, Mulliken, Oke, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 42

Excused: Senators Deccio, Fraser, Hewitt, McCaslin, Parlette, Regala and Stevens - 7

SUBSTITUTE SENATE BILL NO. 5390, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5013, by Senators Honeyford and Sheldon

Authorizing RV logos on highway sign panels.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5013 was substituted for Senate Bill No. 5013 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5013 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5013.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5013 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Hargrove, Haugen, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton, Mulliken, Oke, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 42

Excused: Senators Deccio, Fraser, Hewitt, McCaslin, Parlette, Regala and Stevens - 7

SUBSTITUTE SENATE BILL NO. 5013, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

MOTION

At 12:22 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Monday, February 28, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate